

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

CIVIL MINUTES

Case No.: 3:10-CV-1532-MO

Date of Proceeding: February 6, 2012

Case Title: Bibiji Inderfit Kaur Puri, et al. v. Sopurkh Kaur Khalsa

Presiding Judge: Hon. Michael W Mosman

Courtroom Deputy: Dawn Stephens

Dawn_Stephens@ord.uscourts.gov

Telephone number (503) 326-8024

Reporter: Bonita Shumway

Tape No: _____

Oral Argument Held February 7, 2012.

MOTIONS TO DISMISS

Defendant Lambert's Motion to Dismiss [41] is GRANTED IN PART AND DENIED IN PART.

The Motion to Dismiss [45] submitted by defendants Karam Singh Khalsa and Kartar Singh Khalsa is GRANTED IN PART AND DENIED IN PART.

The Motion to Dismiss [67] submitted by defendants Peraim Kaur Khalsa, Siri Karm Kaur Khalsa, Sopurkh Kaur Khalsa, Siri Singh Sahib Corporation, and Unto Infinity, LLC is GRANTED IN PART AND DENIED IN PART.

Defendant Siri Ram Kaur Khalsa's Motion to Dismiss [69] is GRANTED IN PART AND DENIED IN PART.

SPECIFIC CLAIMS

All defendants' motions to dismiss based on plaintiffs' lack of standing to pursue derivative claims on behalf of Siri Singh Sahib Corporation and Unto Infinity are DENIED WITH LEAVE TO RENEW.

Defendant Lambert's motion to dismiss based on attorney client privilege is DENIED.

Plaintiffs' declaratory judgment claim is DISMISSED without prejudice as to each defendant, as stated on the record.

Civil Minutes

**Honorable Michael W
Mosman**

Plaintiffs' breach of fiduciary duty claim is DISMISSED without prejudice as to defendants Karam Singh Khalsa, Kartar Singh Khalsa, Peraim Kaur Khalsa, Siri Karm Kaur Khalsa, and Siri Ram Kaur Khalsa.

Plaintiffs' fraud claim is DISMISSED without prejudice as to defendants Karam Singh Khalsa, Kartar Singh Khalsa, Peraim Kaur Khalsa, Siri Karm Kaur Khalsa, and Siri Ram Kaur Khalsa.

Plaintiffs' negligent misrepresentation claim is DISMISSED without prejudice as to defendants Karam Singh Khalsa, Kartar Singh Khalsa, Peraim Kaur Khalsa, Siri Karm Kaur Khalsa, and Siri Ram Kaur Khalsa.

Plaintiffs' interference with economic advantage claim is DISMISSED without prejudice as to defendants Karam Singh Khalsa, Kartar Singh Khalsa, Peraim Kaur Khalsa, Siri Karm Kaur Khalsa, and Siri Ram Kaur Khalsa.

Plaintiffs' conversion claim is DISMISSED without prejudice as to each defendant, as stated on the record.

Plaintiffs' unjust enrichment claim is DISMISSED without prejudice as to each defendant, as stated on the record.

Plaintiffs' constructive trust claim is DISMISSED with prejudice as to each defendant, with leave to re-plead as a remedy.

Plaintiffs' RICO/ ORICO claim is DISMISSED without prejudice as to each defendant, as stated on the record.

CONCLUSION

Plaintiffs must file an amended complaint by March 8, 2012. Defendants must email the Court by March 10, 2012, and indicate their intended response to plaintiffs' amended complaint. Plaintiffs are instructed to advise any newly added parties that they shall similarly email the Court by March 10, 2012, with their intended response.

PLAINTIFF'S COUNSEL

Surjit P. Soni

DEFENDANT'S COUNSEL

Robert L. O'Halloran

Scott Schnuck

Thomas Larkin

Christopher H. Kent

Peter D. Hawkes

Stephen C. Voorhees

C. Robert Steringer
